

AUG 05 2002
Michael N. Milby, Clerk

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THE MEDICAL MONITORING PROTOCOL

Credentials Of The Public Health Specialists

Two leading public health specialists, Dr. Sandra Mohr, M.D., M.P.H., and Dr. Stuart Shalat, Sc.D., were selected to author the medical monitoring protocol (Attachment A) and oversee the program.

Collection, Reporting And Dissemination Of Data

Dr. Mohr and Dr. Shalat will work with the provider clinic to collect the findings from each participants' medical exams and share that information with the individual. The doctors will also make statistics about the findings available to the scientific community to aid researchers in studying the effects of exposure to arsenic and other chemicals on a population.

Privacy Of Participants Will Be Protected

Participating claimants will be asked to give their consent to release information about their medical testing. No claimants' names will appear in any reports provided to scientific researchers and their privacy will be respected. Consent to release information about the medical tests provided is not a precondition of testing.

Examinations And Laboratory Tests

Three examinations will be performed over the course of five years and will investigate each claimants' (1) current health (2) personal history (3) medical history (4) reproductive history (5) mental history (6) ears (7) eyes (8) nose (9) abdomen (10) spleen (11) rectum (for claimants over 40) (12) extremities (13) skin (14) lymph nodes

(15) heart (16) lungs (17) liver (18) genitals, for men only (19) nerves (20) mental status (21) blood (22) urine (23) feces.

THE TESTING FACILITY

Dr. William G. Gaines, Jr., M.D., MPH, has been selected to conduct the medical testing set forth in the medical monitoring protocol. (Attachment A). Dr. Gaines is Chairman of the Department of Occupational and Environmental Medicine. Dr. Gaines enjoys a good working relationship with Dr. Shalat, co-author of the medical monitoring protocol, and will continue that relationship to complete the medical monitoring. Dr. Gaines has identified members of his staff who will work with him including pediatricians, social service advisors, physician assistants and administrative staff. (Attachment B) Spanish speaking staff will be available to serve the medical monitoring participants. The facility is the Scott & White Clinic, 1600 University Drive East, College Station, Texas 77840.

TRAVEL OPTIONS

Due to the relatively small number of monitoring participants, creating a site-specific protocol for the monitoring examinations to be performed in claimants' hometowns was less feasible from a cost standpoint than requesting claimants to travel to a central location. For that reason, it is proposed that each participant who resides greater than 100 miles, but less than 500 miles of Bryan, Texas and elects to travel by automobile to Bryan for medical testing will be provided a stipend of \$250 for each medical exam to cover meals and hotel. In addition, mileage at a rate of .34 cents per mile will also be provided to the traveling participant. Participants who reside more than 500 miles from

Bryan, Texas and who choose to travel for their exams will be provided up to \$500 for air travel, along with an additional \$250 for meals and lodging.

SETTLEMENT ADMINISTRATOR'S CONTINUING OBLIGATIONS

The medical monitoring component of the Settlement comprises three separate medical examinations to be administered to participants over the course of five years. In addition to establishing the initial program, the Settlement Administrator is obligated to facilitate communications between the medical provider clinic and claimants; facilitate the retention of the medical data collected; make necessary reimbursements and distributions from the medical monitoring fund; notify claimants of their upcoming medical examinations; schedule the examinations and interface with Scott & White clinic and Doctors Mohr and Shalat to collect and retain the data derived from the group of those monitored. This responsibility continues for five years.

COST ESTIMATE

The medical monitoring fund of two million dollars has been incurring its pro rata share of attorney fees, costs and expenses associated with the settlement administration, in accordance with the Settlement Agreement and Protocol. Some expenditures have been made to send notices and information to claimants in both English and Spanish, collect responses, and remunerate the physicians who have developed the medical monitoring protocol.

The current fund balance is \$1,272,532.67. Future projected costs follow.

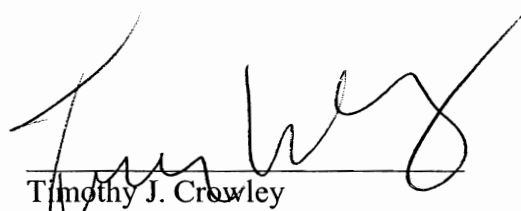
Scott & White Clinic	\$454,000
Fees, Dr. Shalat & Dr. Mohr	\$238,100
Travel for participants	\$32,677.08

Projected Total Future Cost: \$737,777.08

PROPOSAL FOR DISPOSITION OF FUND REMAINDER

Some unforeseen expenses are likely to be incurred, but it is also anticipated that an amount ranging between \$400,000 and \$500,000 of the original two million dollars set aside for the cost of the medical monitoring program will remain. Leave of the Court is requested for the Settlement Administrator to use discretion in allocating any fund remainder to one or more of the sub-classes of claimants, particularly those who are most seriously affected by exposure to chemicals.

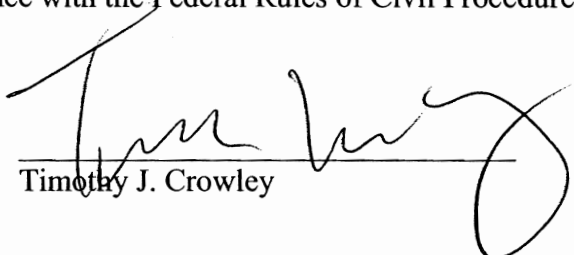
Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Timothy J. Crowley', is written over a horizontal line.

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CERTIFICATE OF SERVICE

I, do hereby certify that on this the 8 day of August, 2002, true and correct copies of the above and foregoing instruments have been duly forwarded to the following parties and/or counsel of record in accordance with the Federal Rules of Civil Procedure.


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